

REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

- Group I: Claims 1-5 and 15, drawn to a norbornene derivative;
- Group II: Claims 6-7, 10-12, and 22-23, drawn to a norbornene ring opened co-copolymer and devices using said norbornene;
- Group III: Claims 13, and 20-21, drawn to a process for preparing a norbornene ring opened copolymer; and
- Group IV: Claims 8-9 and 16-19, drawn to a norbornene ring opened copolymer with the required structural unit (II).

Applicants provisionally elect Group II, Claims 6-7, 10-12 and 22-23, drawn to a norbornene ring opened (co)polymer and device using said norbornene, with traverse on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified groups. Also, it has not been shown that a burden exists in searching the claims for the four groups.

Moreover, the MPEP at §803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all of the claims would not impose a serious burden on the Office.

Additionally, Applicants protest the division of the claims of Groups II and IV into separate groups. The Group IV claims recite dependency on the Group II claims and, therefore, should not have been divided into a separate group. The examination of the Group II and IV claims should take place in the same application.

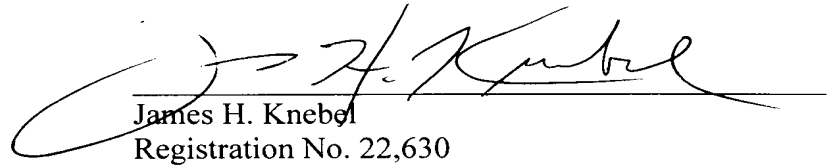
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